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REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE FIFTY-THIRD SESSION OF THE COMMISSION

DRAFT REPORT OF THE COMMISSION

Rapporteur: Ms. Margarita ESCOBAR LOPEZ

CONTENTS*

Chapter

IX. FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION:

(a) ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS;

(b) NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS;

(c) COORDINATING ROLE OF THE CENTRE FOR HUMAN RIGHTS WITHIN THE UNITED NATIONS BODIES AND MACHINERY DEALING WITH THE PROMOTION AND PROTECTION OF HUMAN RIGHTS;

(d) HUMAN RIGHTS, MASS EXODUSES AND DISPLACED PERSONS

* Documents E/CN.4/1997/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1997/L.11 and addenda.

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(a) ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS;

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(d) HUMAN RIGHTS, MASS EXODUSES AND DISPLACED PERSONS

1. The Commission considered agenda item 9 and sub-items (a), (b), (c) and (d) concurrently with item 18 (see chap. XVIII) at its 34th and 35th meetings, on 2 April, at its 37th to 39th meetings, on 3 April, at its 43rd and 45th meetings, on 7 April, at its 46th meeting, on 8 April, at its 57th and 58th meetings on 11 April and at its 64th meeting, on 15 April 1997. 1/

2. For the documents issued under agenda item 9 and sub-items (a), (b), (c) and (d), see annex ... to the present report. For a list of resolutions and decisions adopted by the Commission, see annex .. to the present report.

(a) Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms

3. At the 34th meeting, on 2 April 1997, the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, introduced her report (E/CN.4/1997/47 and Add.1-4).

4. In the general debate on agenda item 9 (a), statements 2/ were made by the following members of the Commission: Bangladesh (39th), Brazil (37th), Canada (35th), China (43rd), Egypt (43rd), El Salvador (35th), Ethiopia (35th), Germany (35th), India (35th), Japan (39th), Malaysia (39th), Nepal (35th), Netherlands (on behalf of the European Union) (35th), Pakistan (43rd), Republic of Korea (39th), Sri Lanka (39th), Uganda (43rd), United States of America (43rd),

5. The Commission heard statements by the observers for: Azerbaijan (45th), Democratic People's Republic of Korea (37th), Iran (Islamic Republic of) (38th), Iraq (38th), Libyan Arab Jamahiriya (37th), Malta (37th), New Zealand (45th), Norway (45th), Poland (43rd), Syrian Arab Republic (43rd).

6. Statements were also made by the observers for UN/AIDS (37th) and the United Nations Development Fund for Women (45th).

7. The Commission heard statements by the following non-governmental organizations: All China Women's Federation (39th), Andean Commission of Jurists (39th), Anti-Slavery International (46th), Institute for Women, Law and Development (38th), International Abolitionist Federation (39th), International Alliance of Women (39th), International Association against Torture (46th), International Association of Democratic Lawyers (46th), International Council of AIDS Service Organizations (39th), International Council of Jewish Women (on behalf of International Alliance of Women, Zonta International, World Federation of Methodist and Unionist Church Women, World Association of Girl Guides and Girl Scouts, International Federation of University Women, World Christian Life Community, International Federation of Social Workers, African Association of Education for Development, Pax Christi International, International Association of Democratic Lawyers, International Abolitionist Federation, Coordinating Board of Jewish Organizations, World Union of Progressive Judaism, All India's Women's Conference, World Jewish Congress, International Association of Jewish Lawyers and Jurists, International Council on Jewish Social and Welfare Services, World Union of Catholic Women's Organizations, International League for the Rights and Liberation of Peoples) (38th), International Falcon Movement (46th), International Federation of Human Rights Leagues (38th), International Fellowship of Reconciliation (46th), International Human Rights Association of American Minorities (38th), International Human Rights Law Group (46th), International Movement against All Forms of Discrimination and Racism (38th), International Women's Health Coalition (45th), Latin American Federation of Associations of Relatives of Disappeared Detainees (39th), Liberation (39th), Movimiento Cubano por la Paz y la Soberania de los Pueblos (39th), North South XXI (39th), Transnational Radical Party (45th), United Towns Agency for North-South Cooperation (38th), Women's International Democratic Federation (38th), Women's International League for Peace and Freedom (45th), World Alliance of Reformed Churches (38th), World Federation of Methodist and

Unionist Church Women (on behalf of the Working Group on Women's Human Rights of the NGO Committee on the Status of Women) (44th), World Muslim Congress (39th), World Organization against Torture (39th), World Peace Council (45th), World Union of Progressive Judaism (38th).

8. Statements in exercise of the right of reply or its equivalent were made by the representative of Nepal (44th) and the observers for Armenia (45th), Azerbaijan (45th) and the Democratic People's Republic of Korea (39th).

(b) National institutions for the promotion and protection of human rights

9. In the general debate on agenda item 9 (b), statements 2/ were made by the following members of the Commission: Argentina (43rd), Bangladesh (39th), Denmark (43rd), Japan (39th), Nepal (39th), Pakistan (43rd), Sri Lanka (39th).

10. The Commission heard statements by the observers for: National Observatory on Human Rights of Algeria (39th), Australia (43rd), Federal Human Rights and Equal Opportunities Commission of Australia (38th), National Commission on Human Rights and Freedoms of Cameroon (38th), Canadian Human Rights Commission (37th), Commission nationale consultative des droits de l'homme (France) (35th), National Human Rights Commission of India (38th), National Human Rights Commission of Indonesia (45th), Iran (Islamic Republic of) (38th), National Institution from the Islamic Republic of Iran (45th), Kenya (43rd), Mongolia (45th), Human Rights Commission of New Zealand (38th), National Human Rights Commission of Nigeria (43rd), Philippines Commission on Human Rights (45th), Romania (43rd), South African Human Rights Commission (38th), Turkey (35th), Venezuela (43rd).

11. The Commission also heard statements by the following non-governmental organizations: Andean Commission of Juriste (39th), Society for Threatened Peoples (38th), World Muslim Congress (39th).

12. A statement in exercise of the right of reply was made by the representative of Germany (37th).

(c) Coordinating role of the Centre for Human Rights within the United Nations bodies and machinery dealing with the promotion and protection of human rights

13. In the general debate on agenda item 9 (c), statements 2/ were made by the following members of the Commission: Bangladesh (39th), China (43rd), India (35th), Japan (39th), Malaysia (39th), Netherlands (on behalf of the European Union) (35th), Ukraine (35th).

14. The Commission heard statements by the observers for Malta (37th) and Romania (41st).

(d) Human rights, mass exoduses and displaced persons

15. At the 43rd meeting, on 7 April 199[illegible], the representative of the Secretary-General on internally displaced persons, Mr. Francis M. Deng, introduced his report (E/CN.4/199[illegible]/43 and Add.1).

16. In the general debate on agenda item 9 (d), statements 2/ were made by the following members of the Commission: Austria (40th), Bangladesh (39th), Nepal (39th), Sri Lanka (39th).

17. The Commission heard statements by the observers for: Armenia (45th), Cyprus (37th), Hungary (37th), Malta (37th), Pakistan (43rd), Peru (43rd), Sudan (45th), Sweden (on behalf of the Nordic countries) (43rd).

18. A statement was also made by the observer for the International Committee of the Red Cross (37th).

19. The Commission also heard statements by the following non-governmental organizations: African Association of Education for Development (46th), African Commission of Health and Human Rights Promoters (45th), American Association of Jurists (38th), Arab Lawyers Union (38th), Asian Cultural Forum on Development (45th), Caritas Internationalis (38th), Centre Europe-Tiers Monde (38th), Franciscans International (46th), Friends World Committee for Consultation (46th), Himalayan Research and Cultural Foundation (39th), Human Rights Internet (39th), Human Rights Watch (38th), International Association against Torture (46th), International Association of Educators for World Peace (39th), International Educational Development, Inc. (39th), International Indian Treaty Council (45th), International Institute for Peace (38th), International Islamic Federation of Student Organizations (46th), International League for the Rights and Liberation of Peoples (38th), International Peace Bureau (38th), Latin American Federation of Associations of Relatives of Disappeared Detainees (38th), Pax Christi International (38th), Pax Romana (38th), World Christian Life Community (38th), World Federation of Democratic Youth (38th), World Muslim Congress (39th), World Peace Council (45th), World Society of Victimology (46th).

20. Statements in exercise of the right of reply or its equivalent were made by the representative of Bhutan (35th) and the observer for Kenya (45th).

The protection of human rights in the context of the human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS)

21. At the 57th meeting, on 11 April 1997, the observer for Poland introduced draft resolution E/CN.4/1997/L.37, sponsored by Angola, Argentina, Australia, Austria, Belarus, Benin, Brazil, Bulgaria, Cameroon, Canada, Chile, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, El Salvador, Ethiopia, Finland, France, Gabon, Greece, Honduras, Israel, Italy, Kenya, Latvia, Lithuania, Madagascar, Mozambique, Nepal, Netherlands, Nicaragua, Peru, Philippines, Poland, Portugal, Romania, Slovakia, Slovenia, South Africa, Uganda and Zimbabwe. Germany, Guatemala, Togo, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay subsequently joined the sponsors.

22. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/33.

Composition of the staff of the Centre for Human Rights: (postponed)*

23. At the .. meeting, on .. April 1997, the representative of Cuba introduced draft resolution E/CN.4/1997/L.47, sponsored by Algeria, Cape Verde, China, Colombia, Cuba, Democratic People's Republic of Korea, Dominican Republic, Egypt, Equatorial Guinea, Ethiopia, Libyan Arab Jamahiriya, Mexico, Mozambique, Nigeria, Sri Lanka, Syrian Arab Republic, United Republic of Tanzania, Viet Nam, Yemen and Zaire.

United Nations Decade on Human Rights Education

24. At the 57th meeting, on 11 April 1997, the observer for Costa Rica introduced draft decision E/CN.4/1997/L.55, sponsored by Costa Rica, Croatia, Cyprus, Czech Republic, Romania, South Africa, the United Kingdom of Great Britain and Northern Ireland and the United Republic of Tanzania. Australia, Bangladesh, Colombia, Equatorial Guinea, Israel, Madagascar, the Republic of Korea, Slovakia, Ukraine and Uruguay subsequently joined the sponsors.

25. The draft decision was adopted without a vote. For the text of the decision as adopted, see chapter II, section B, decision 1997/..

Regional arrangements for the promotion and protection of human rights

26. At the 57th meeting, on 11 April 1997, the representative of Belgium introduced draft resolution E/CN.4/1997/L.59, sponsored by Argentina,

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* This section of chapter IX will be finalized when the draft resolution has been adopted.

Australia, Austria, Belarus, Belgium, Brazil, Canada, Croatia, Germany, Greece, Honduras, Hungary, Ireland, Italy, Japan, Lithuania, Portugal, the Republic of Korea, Romania, the Russian Federation, the former Yugoslav Republic of Macedonia and Togo. Bulgaria, Cape Verde, the Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Estonia, France, Israel, Madagascar, Malta, the Netherlands, New Zealand, Ukraine, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela subsequently joined the sponsors.

27. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/34.

Preparation for the fiftieth anniversary of the Universal Declaration of Human Rights

28. At the 57th meeting, on 11 April 1997, the observer for Poland introduced draft resolution E/CN.4/1997/L.40, sponsored by Australia, Belarus, Brazil, Bulgaria, Chile, Croatia, the Czech Republic, El Salvador, Ethiopia, Finland, France, Germany, Hungary, India, Israel, Italy, Mexico, Philippines, Poland, the Republic of Korea, Romania, the Russian Federation, Slovenia, South Africa, Sweden, Switzerland and Ukraine. Argentina, Bangladesh, Benin, Canada, Ecuador, Equatorial Guinea, Egypt (on behalf of the African Group), Greece, Ireland, Japan, Madagascar, Mali, Nicaragua, Norway, Portugal, Slovakia, the former Yugoslav Republic of Macedonia, Togo, Uruguay and Venezuela subsequently joined the sponsors.

29. The representative of Poland orally revised the draft resolution by adding a new operative paragraph 4, the subsequent paragraphs being renumbered accordingly.

30. A statement in connection with the draft resolution was made by the representative of the United States of America.

31. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/35.

Human rights and arbitrary deprivation of nationality

32. At the 57th meeting, on 11 April 1997, the representative of the Russian Federation introduced draft resolution E/CN.4/1997/L.62, sponsored by Mexico and the Russian Federation. Belarus, Colombia, Nicaragua, Peru and Portugal subsequently joined the sponsors.

33. A statement in connection with the draft resolution was made by the representative of Mexico.

34. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/36.

Human rights and thematic procedures

35. At the 57th meeting, on 11 April 1997, the representative of the Czech Republic introduced draft resolution E/CN.4/1997/L.64, sponsored by Argentina, Austria, Belgium, Bulgaria, Canada, Chile, the Czech Republic, Denmark, Dominican Republic, Finland, France, Germany, Hungary, Ireland, Italy, Luxembourg, the Netherlands, New Zealand, Norway, Peru, Poland, Portugal, the Republic of Korea, Romania, Slovakia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Australia, Greece, Liechtenstein, the Russian Federation and Uruguay subsequently joined the sponsors.

36. Statements in explanation of vote before the vote were made by the representatives of Cuba and Pakistan.

37. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/37.

Internally displaced persons

38. At the 57th meeting, on 11 April 1997, the representative of Austria introduced draft resolution E/CN.4/1997/L.66, sponsored by Argentina, Austria, Bulgaria, Colombia, Cyprus, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Mozambique, the Netherlands, Norway, Peru, Portugal, the Republic of Korea, Sweden and Uruguay. Australia, Canada, Liechtenstein and the Russian Federation subsequently joined the sponsors.

39. The representative of Austria orally revised the draft resolution as follows:

(a) In the ninth preambular paragraph, the words "in emergency situations is essential" were replaced by "is essential in emergency situations where the Government of the country concerned is unable to discharge its normal responsibilities";

(b) In operative paragraph 6, the words "welcomes the preparation of" were replaced by "takes note of his preparations for".

40. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/39.

National institutions for the promotion and protection of human rights

41. At the 57th meeting, on 11 April 1997, the observer for Australia introduced draft resolution E/CN.4/1997/L.87, sponsored by Australia, Austria, Bangladesh, Cameroon, Canada, Cape Verde, Croatia, Cyprus, the Czech Republic, Denmark, Ethiopia, France, Honduras, India, Latvia, Madagascar, Mexico, Mongolia, New Zealand, the Philippines, Portugal, Romania, the Russian Federation, Slovakia, South Africa and Tunisia. Algeria, Argentina, Colombia, El Salvador, Equatorial Guinea, Estonia, Indonesia, Israel, Italy, Norway, Senegal, Spain, Sri Lanka, Sweden, the former Yugoslav Republic of Macedonia, Togo and Venezuela subsequently joined the sponsors.

42. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 2/ of the draft resolution.

43. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/40.

Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region

44. At the 58th meeting, on 11 April 1997, the observer for Jordan introduced draft resolution E/CN.4/1997/L.68/Rev.1, sponsored by Bangladesh, China, Indonesia, Iraq, Jordan, Lebanon, Mongolia, Nepal, the Philippines, the Republic of Korea, Sri Lanka and the Syrian Arab Republic. Equatorial Guinea, the Islamic Republic of Iran and Pakistan subsequently joined the sponsors.

45. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/45.

Human rights and mass exodusses (postponed)*

46. At the .. meeting, on .. April 1997, the representative of Canada introduced draft resolution E/CN.4/1997/L.88, sponsored by Australia, Canada, Cyprus, the Czech Republic, Denmark, Finland, France, Germany, Hungary,

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*This section of chapter IX will be finalized when the draft resolution has been adopted.

Luxembourg, Madagascar, Nepal, Norway, Poland, the Russian Federation, Sweden and Switzerland. Equatorial Guinea, Greece, the Netherlands, New Zealand and Norway subsequently joined the sponsors.

Development of public information activities in the field of human rights, including the World Public Information Campaign for Human Rights

47. At the 57th meeting, on 11 April 1997, the representative of Italy introduced draft resolution E/CN.4/1997/L.74, sponsored by Afghanistan, Argentina, Australia, Bulgaria, Canada, Chile, Croatia, Cyprus, Denmark, the Dominican Republic, France, Germany, Greece, Haiti, Hungary, Ireland, Italy, Madagascar, the Netherlands, Nicaragua, Norway, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, Slovakia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tunisia and Ukraine. Algeria, Belarus, Benin, Ecuador, Peru, Senegal and Slovenia subsequently joined the sponsors.

48. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/41.

Human rights and terrorism

49. At the 57th meeting, on 11 April 1997, the observer for Turkey introduced draft resolution E/CN.4/1997/L.74, sponsored by Algeria, Egypt, Pakistan, Peru, the Philippines, the Republic of Korea, Sri Lanka, Turkey and Uruguay. Azerbaijan, Colombia, India and the Russian Federation subsequently joined the sponsors.

50. The representative of Turkey orally revised the draft resolution by inserting, in operative paragraph 4, the word "strict" before the word "conformity", and by deleting the words "relevant provisions of" before "international law".

51. Statements in connection with the draft resolution were made by the representatives of Algeria and Pakistan.

52. Statements in explanation of vote before the vote were made by the representatives of Argentina, Canada, Chile, Mexico, the Netherlands (on behalf of the European Union), the United Kingdom of Great Britain and Northern Ireland and the United States of America.

53. The representative of the United States of America requested a vote on the draft resolution. At the request of the representative of Ireland, a roll-call vote was taken on the draft resolution, as orally revised, which was adopted by 28 votes to none, with 23 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Belarus, Benin, Bhutan, Brazil, Cape Verde, China, Colombia, Cuba, Egypt, Ethiopia, India, Indonesia, Ireland, Japan, Malaysia, Mali, Mozambique, Nepal, Pakistan, Philippines, Republic of Korea, Russian Federation, South Africa, Sri Lanka, Uganda, Uruguay.

Against: None.

Abstaining: Angola, Argentina, Austria, Bulgaria, Canada, Chile, Denmark, Dominican Republic, Ecuador, El Salvador, France, Gabon, Germany, Guinea, Italy, Madagascar, Mexico, Netherlands, Nicaragua, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Zimbabwe.

54. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/42.

Integrating the human rights of women throughout the United Nations system

55. At the 57th meeting, on 11 April 1997, the representative of Canada introduced draft resolution E/CN.4/1997/L.75, sponsored by Argentina, Australia, Austria, Bangladesh, Belarus, Benin, Bulgaria, Brazil, Cameroon, Canada, Chile, Croatia, Cyprus, the Czech Republic, the Democratic People's Republic of Korea, Denmark, El Salvador, Ethiopia, Finland, France, Germany, Greece, Ireland, Liechtenstein, Luxembourg, Madagascar, Mexico, New Zealand, Nicaragua, Norway, Papua New Guinea, the Philippines, Portugal, the Republic of Korea, Slovenia, South Africa, Spain, Sweden, Switzerland, Tunisia, Turkey and Zambia. The Dominican Republic, Italy, Japan, Latvia, the Netherlands, Peru, Senegal, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay and Venezuela subsequently joined the sponsors.

56. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/43.

The elimination of violence against women

57. At the 57th meeting, on 11 April 1997, the representative of Canada introduced draft resolution E/CN.4/1997/76, sponsored by Argentina, Austria, Australia, Bangladesh, Brazil, Bulgaria, Cameroon, Canada, Chile, Côte d'Ivoire, Croatia, the Czech Republic, Cyprus, the Democratic People's Republic of Korea, Denmark, El Salvador, Ethiopia, Finland, France, Germany,

Greece, Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Madagascar, the Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, the Philippines, Poland, Portugal, the Republic of Korea, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Tunisia and Turkey. Belgium, Benin, Cape Verde, the Dominican Republic, Ecuador, France, Gabon, Haiti, Israel, Japan, Mali, Mexico, Senegal, Togo, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay, Venezuela and Zimbabwe subsequently joined the sponsors.

58. The draft resolution was orally revised by the representative of Canada as follows:

(a) In operative paragraph 9 (h), the word "information" was inserted before "pertaining";

(b) In operative paragraph 9 (h), the word "ensured" was replaced by the word "assured".

59. Statements in connection with the draft resolution were made by the representatives of Brazil, Canada, Cuba, India and Mexico.

60. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 1/ of the draft resolution.

61. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/44.

62. At the 64th meeting, on 15 April 1997, at the proposal of the representative of Pakistan, the Commission decided to defer consideration of the draft resolution L.86, entitled "Rationalization of the work of the special procedures system", and draft resolution L.87, entitled "Review of the special procedures system" to the fifty-fourth session of the Commission on Human Rights. The draft resolutions read as follows:

"Rationalization of the work of the special procedures system

The Commission on Human Rights,

Guided by the purposes and principles and other relevant articles of the Charter of the United Nations and the Universal Declaration of Human Rights and the International Covenants of Human Rights,

Recalling that the Vienna Declaration and Programme of Action states that all human rights are universal, indivisible and interdependent and interrelated,

Also recalling that the Vienna Declaration and Programme of Action underlines the importance of preserving and strengthening the system of special procedures, rapporteurs, representatives, experts and working groups of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Welcoming the fact that the special procedures have held periodic meetings with the aim of exchanging views, harmonizing and rationalizing their work,

Emphasizing the principles of neutrality, non-selectivity and objectivity in the work of the special rapporteurs, representatives and working groups of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities and their sensitivity to national and regional diversities and various historical, cultural, religious and legal backgrounds,

Noting the work done through the special procedures system and its contribution to the promotion and protection of human rights,

Noting also the role assigned to the special procedures in the field of human rights and the need for follow-up to their conclusions and recommendations,

Noting further the importance of all States' full cooperation with the special procedures,

1. Decides that the special rapporteurs, representatives and working groups of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, while carrying out their specific mandates, shall:

(i) Continue to work independently, with the greatest amount of discretion and in an objective and impartial fashion;

(ii) Continue to bear in mind that they derive their authority from the Commission on Human Rights and the Economic and Social Council;

(iii) Continue to ensure that the information on which they base their deliberations and reports is credible and reliable;

(iv) Seek a genuine and direct dialogue and cooperation with the concerned Government;

(v) During their visits, observe the human rights situation and assist the host Government in problem areas, the purpose of such visits being to gain first-hand information on situations and to discuss with all concerned, including Governments and non-governmental organizations and all sectors of society, how to ensure respect for human rights, and make recommendations thereon;

(vi) Continue to undertake such visits at the invitation of the host Government;

(vii) Continue to ensure in an objective and impartial fashion that urgent appeals are made for humanitarian reasons on the basis of the gravity of the situation, wherever such a situation occurs;

(viii) Refrain from giving media publicity to their findings until these have been considered and deliberated upon by the Commission;

(ix) Continue to harmonize and rationalize their work through periodic meetings to coordinate their activities for the promotion and protection of human rights;

(x) Organize the programme of visits of thematic procedures on the basis of comparative need for such visits and the relative urgency thereof, based on the gravity of the human rights situation.

2. Requests the High Commissioner for Human Rights to designate a focal point within the Centre for Human Rights to serve as a clearing house to rationalize the work of the special procedures system and to ensure that countries are not burdened with communications that deal with the same issue or incident;

3. Requests the Chairman of the Commission, when appointing special rapporteurs, to continue to consult closely with regional groups and ensure that the appointee is of recognized standing in the field of human rights, has an overall knowledge of political, social and legal

systems, is sensitive to different cultural, religious and ethnic particularities, and will accordingly implement his mandate independently, impartially and objectively;

4. Invites States to consider favourably requests by mandate holders to visit their country, to facilitate their meetings with persons and organizations that are relevant to the fulfilment of their mandates; to seek to undertake a genuine dialogue with the mandate holder; and to follow up on the recommendations of the mandate holder;

5. Decides to continue to seek ways and means to rationalize the functioning of the special procedures system and to review the implementation of the present resolution at its fifty-fourth session."

"Review of the special procedures system

The Commission on Human Rights,

Guided by the purposes and principles and the relevant articles of the Charter of the United Nations and the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Reiterating the Vienna Declaration and Programme of Action which states that all human rights are universal, indivisible and interdependent and interrelated, and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Noting that the Committee on Economic, Social and Cultural Rights has highlighted the imbalance in the special rapporteur system by referring to the fact that although there are a large number of thematic and related mechanisms dealing with different aspects of civil and political rights, there is none dealing solely with the economic, social and cultural rights recognized in the International Covenant on Civil and Political Rights and in the International Covenant on Economic, Social and Cultural Rights, despite the recognized interdependence, indivisibility and interrelationship of the two sets of rights;

1. Decides to undertake a comprehensive review of the thematic and related mechanisms and the special rapporteur system at its fifty-fourth session;

2. Also decides to set up an open-ended working group and requests the Secretary-General to submit a comprehensive report to the

inter-sessional working group containing specific proposals for rationalization;

3. Further decides to include in its agenda for the fifty-fourth session an item entitled 'Review of the special procedures system';

4. Recommends the following draft decision to the Economic and Social Council for adoption:

'The Economic and Social Council, taking note of Commission on Human Rights resolution 1997/... of ... 1997, approves the Commission's decision to set up an inter-sessional open-ended working group of the Commission on the review of the special procedures system for a period of one year.'"

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